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*Chief Executive Officer*



June 14, 2001

The Honorable John D. Dingell  
Ranking Minority Member  
Committee on Energy and Commerce  
2322 Rayburn House Office Building  
US House of Representatives  
Washington, DC

Dear Representative Dingell:

On behalf of the American Lung Association, I am pleased to offer our strong support for the Bipartisan Patient Protection Act of 2001 (HR 526).

This legislation offers those who suffer from lung disease the strong, comprehensive, and enforceable protections that they need and deserve. The bill increases patient access to specialists, restricts interference by health plans and insurers with the doctor-patient relationship, and requires health plans to provide consumers with more health care options. In addition, the bill ensures that patients have recourse to speedy and genuine independent review when care is wrongfully denied. This bill applies these protections to all 170 million Americans covered by private-sector group health plans, individual health plans, and fully insured state and local government plans.

Most importantly, this bill has carefully crafted a compromise that would provide real legal accountability to health plans and insurance companies without encouraging frivolous lawsuits. This bill preserves existing state liability for medical injury and creates a new federal accountability for administrative decisions, with no caps on damages – but with a cap on civil penalties of \$5 million to deter violations.

Some opponents of providing this accountability have maintained that it would cause health care premiums to skyrocket. In reality, an analysis of S. 283 by the Congressional Budget Office found that premiums would only be increased by 0.8 percent as a result of these accountability provisions.

The Bipartisan Patient Protection Act of 2001 offers patients the protection they need and deserve. It empowers doctors – not insurance companies – to make medical decisions and speeds patients' access to speciality care. The American Lung Association looks forward to working with you to enact the provisions of this bill into law.

Sincerely,

John R. Garrison  
Chief Executive Officer

**When You Can't  
Breathe, Nothing  
Else Matters®**

Founded in 1904, the  
American Lung Association  
includes affiliated associations  
throughout the U.S.